

Date

Mr. Gary Evans
1018 Hwy. 3128
Pineville, Louisiana 71360

Re: Ethics Board Docket No. 2015-1251

Dear Mr. Evans:

The Louisiana Board of Ethics, at its January 15, 2016 meeting, considered your request for an advisory opinion as to whether you, a Review Appraiser with the Real Estate/Appraisal Section of the Louisiana Department of Transportation, may accept employment with the Red River Waterway Commission to provide real estate appraisal services. You stated that you have been requested by the Red River Waterway Commission to apply to join their contract real estate appraiser panel in order to provide real estate appraisal services. You stated that the services you would provide will be on properties owned by the Red River Waterway Commission for disposal and management purposes.

You also stated that the services to be provided to the Red River Waterway Commission will not involve any affiliation with DOTD. Although two members of the Commission are held by DOTD employees, you stated there is no involvement of the DOTD Real Estate/Appraisal Section with the Commission. The DOTD Real Estate/Appraisal Section provides no real estate or appraisal services to the Red River Waterway Commission. You further stated that you have no involvement with the Red River Waterway Commission in your capacity as an employee of DOTD.

The Board concluded, and instructed me to inform you, that the Code of Governmental Ethics would not prohibit you from providing real estate appraisal services to the Red River Waterway Commission while employed with the Real Estate/Appraisal Section of the Louisiana Department of Transportation since your job duties and responsibilities do not include appraisal services for the Red River Waterway Commission. **La. R.S. 42:1111C(1)(a)** prohibits a public servant from receiving any thing of economic value for any service, the subject matter of which is devoted substantially to the responsibilities, programs, or operations of the agency of the public servant and in which the public servant has participated.

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This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or as to laws other than the Code of Governmental Ethics. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS

Tracy M. Barker
For the Board